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91301

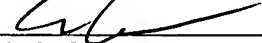
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Lacoste et al. )  
)  
)  
Serial No.: 10/757,703 )  
)  
Conf. No. To Be Assigned )  
)  
Filed: January 14, 2004 )  
)  
For: THERAPY PROBE )  
)  
Examiner: To Be Assigned )  
)  
Art Unit: To Be Assigned )

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Office Of Initial Patent Examinations, P.O. Box 1450, Alexandria, Virginia 22313 on this date.

03-03-04   
Date Eric D. Cohen  
Reg. No. 38,110

NOTICE OF INCORRECT FILING DATE

Office of Initial Patent Examination  
Filing Receipt Corrections  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir or Madam:

We received the stamped postcard back from the Patent and Trademark Office for the above-identified application. We note that the filing date is incorrect. It should be January 14, 2004 not January 15, 2004 as shown on the stamped postcard. Applicants respectfully request that the Filing Date for the above-identified application be corrected to January 14, 2004, as shown in the enclosed copy of the following documents:

1. Copy of the Original Postcard and Copy of Postcard with Express Mail Label No EL400002206US attached.
2. Copy of Express Mail Label No. EL400002206US
3. Copy of Check No. 085100

4. Certificate of Mailing by "Express Mail" (37 CFR 1.10)
5. Utility Patent Application Transmittal (Large Entity)
6. Application Data Sheet

Please make this request of record.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

WELSH & KATZ, LTD.

By   
Eric D. Cohen  
Registration No. 38,110

WELSH & KATZ, LTD.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606  
Tele: (312) 655-1500  
Fax: (312) 655-1501

March 3, 2004

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**

Applicant(s): F. Lacoste, A. Tetard, C. Chaussy and J. Chapelon

Docket No.

91301

Serial No.

10/757,703

Filing Date

January 14, 2004

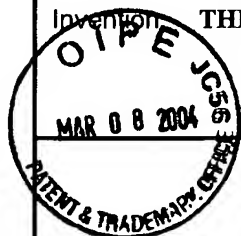
Examiner

To Be Assigned

Group Art Unit

To Be Assigned

Invention: THERAPY PROBE

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is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

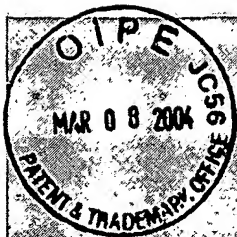
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 3, 2004  
(Date)Eric D. Cohen, Reg. No. 38,110

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Notice of Incorrect Filing Date; Copy of the Original Postcard and Copy of Postcard with Express Mail Label No. EL400002206US attached; Copy of Express Mail Label No. EL400002206US; Copy of Check No. 085100; Certificate of Mailing by "Express Mail" (37 CFR 1.10); Utility Patent Application Transmittal (Large Entity); Application Data Sheet and Postcard.



In re Patent Application of Lacoste et al.  
Filed: January 14, 2003

EDC/zw  
File No. 6633-91301  
January 14, 2003

For: Therapy Probe

Certificate of Mailing by "Express Mail" (37 C.F.R. 1.10) Express Mail Label  
No. EL400002206US; Utility Patent Application Transmittal (Large Entity);  
Specification Eighteen (18) Pages; Informal Drawings Fifteen (15) Sheets;  
Unexecuted Declaration and Power of Attorney; Application Data Sheet;  
Check in the Amount of \$910.00; and Postcard.

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Respectfully,  
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Eric D. Cohen  
WELSH & KATZ LTD  
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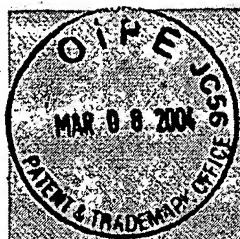
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In re Patent Application of Lacoste et al.  
Filed: January 14, 2003

DC/zlw  
File No. 6633-91301  
January 14, 2003

For: Therapy Probe

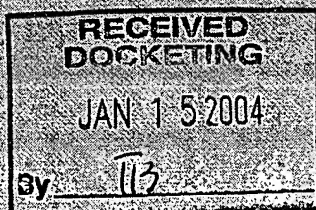
Certificate of Mailing by "Express Mail" (37 C.F.R. 1.10) Express Mail Label No. EL400002206US; Utility Patent Application Transmittal (Large Entity); Specification Eighteen (18) Pages; Informal Drawings Fifteen (15) Sheets; Unexecuted Declaration and Power of Attorney; Application Data Sheet; Check in the Amount of \$910.00; and Postcard.

Commissioner for Patents:

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Respectfully,  
Welsh & Katz, Ltd.

EL 400002206US



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CHICAGO, IL 60606

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<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No.
Applicant(s): Lacoste et al.			91301
Serial No. To Be Assigned	Filing Date January 14, 2004	Examiner To Be Assigned	Group Art Unit To Be Assigned
Invention:  THERAPY PROBE			
<div style="text-align: center;"></div>			
I hereby certify that the following correspondence:			
<div style="border: 1px solid black; padding: 5px;">Utility Application Transmittal (Large Entity); Specification Eighteen (18) Pages; Informal Drawings Fifteen (15) Sheets; Unexecuted Declaration and Power of Attorney; Application Data Sheet; Check in the Amount of \$910.00; and Postcard.</div>			
<i>(Identify type of correspondence)</i>			
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on			
<div>January 14, 2004 <i>(Date)</i></div>			
<div>Daryl Jones <i>(Typed or Printed Name of Person Mailing Correspondence)</i></div>			
<div> <i>(Signature of Person Mailing Correspondence)</i></div>			
<div>EL400002206US <i>("Express Mail" Mailing Label Number)</i></div>			
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**UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.

91301

Total Pages in this Submission

39

**TO THE COMMISSIONER FOR PATENTS**

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

THERAPY PROBE

and invented by:

Francois Lacoste, Antoine Tetard, Christian Chaussy and Jean-Yves Chapelon.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having Eighteen 18 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications *(if applicable)*
  - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
  - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings *(if filed)*
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.

**91301**

Total Pages in this Submission

**39**

**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☒ Informal Number of Sheets Fifteen (15)
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☒ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9. ☐ Assignment Papers *(cover sheet & document(s))*
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL400002206US



**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
91301

Total Pages in this Submission  
39

**Accompanying Application Parts (Continued)**

17. ☒ Additional Enclosures *(please identify below):*

Check in the Amount of \$910.00.

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
91301

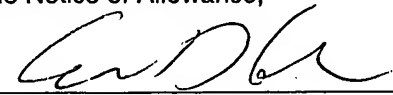
Total Pages in this Submission  
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## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	23	- 20 =	3	x \$18.00	\$54.00
Indep. Claims	4	- 3 =	1	x \$86.00	\$86.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$910.00

- ☒ A check in the amount of **\$910.00** to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **23-0920** as described below.
- ☐ Charge the amount of , as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☒ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Dated: January 14, 2004

Eric D. Cohen  
Welsh & Katz, Ltd.  
120 South Riverside Plaza  
22nd Floor  
Chicago, Illinois 60606

CC:

Eric D. Cohen, Reg. No. 38,110



**APPLICATION DATA SHEET**

**91301**

**APPLICATION INFORMATION**

Application number:: To Be Assigned

Filing Date:: January 14, 2004

Application Type:: Non-Provisional

Title:: THERAPY PROBE

Attorney Docket Number:: 6633-91301

Request for Early Publication?:: No

Request for Non-Publication?:: No

Suggested Drawing Figure:: 1

Total Drawing Sheets:: 15

Formal Drawings:: No

Small Entity?:: No

Benefit of Priority  
Claimed From:: French Patent Application No. 03 00 348  
January 14, 2003

**APPLICANT INFORMATION**

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Family Name::	Lacoste
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Citizenship Country::	France



Inventor One Given Name:: Antoine  
Family Name:: Tetard  
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Family Name:: Chaussy  
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Citizenship Country:: France

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Family Name:: Chapelon  
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State or Province:: France  
Postal or Zip Code:: 69100  
Citizenship Country:: France

#### **CORRESPONDENCE INFORMATION**

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Name Line Two:: Eric D. Cohen  
Address Line One:: 22nd Floor  
Address Line Two:: 120 South Riverside Plaza  
City:: Chicago  
State or Province:: IL  
Postal or Zip Code:: 60606  
Telephone Number:: (312) 655-1500  
Fax:: (312) 655-1501  
E-Mail address:: edcohen@welshkatz.com

#### **REPRESENTATIVE INFORMATION**

Registration Number One:: 24,003  
Registration Number Two:: 22,839  
Registration Number Three:: 28,903

Registration Number Four:	27,429
Registration Number Five:	25,060
Registration Number Six:	22,053
Registration Number Seven:	27,466
Registration Number Eight:	29,434
Registration Number Nine:	29,054
Registration Number Ten:	29,381
Registration Number Eleven:	34,044
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Registration Number Sixteen:	37,963
Registration Number Seventeen:	37,135
Registration Number Eighteen:	40,604
Registration Number Nineteen:	37,435

#### **ASSIGNMENT INFORMATION**

Assignee Name:: To Be Assigned  
Assignee Address Line One::  
Assignee Address Line Two::  
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Assignee State::  
Assignee Postal Code::  
Assignee Country::